IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1219 OF 1999

WITH

CRIMINAL APPLICATION NO. 336 OF 2001

Nilesh Lalit Parekh & ors. ... Petitioners

versus

State of Maharashtra and ors. ... Respondents

...

Mr. Prakash Varma, for M/s. Prakash & Co., for the Petitioners.

Mr. A.S. Gadkari, A.P.P., for the State.

...

CORAM : A.M.KHANWILKAR,J.

16th September 2004

P.C.:

. By this Criminal Application, it is pointed out that the issue raised in the writ petition has been squarely answered by the Apex Court in the reported decision in the case of Pankaj Mehra and another v. State of Maharashtra and others, reported in A.I.R. 2000 S.C. 1953. This application was initially listed on 13th

September 2004. None appeared for the writ petitioners. By way of indulgence, as the matter is covered by the decision of the Apex Court, it was directed that the writ petition be placed for hearing under the caption "Final Disposal" on 16th September 2004. Accordingly, the writ petition is placed today under the caption "Final Disposal". Today, when the matter is called out, none appears for the writ petitioners, presumably because they are no more interested to pursue the remedy in the light of the decision of the Supreme Court (supra). It is also possible that the Petitioners are trying to protract the present proceedings as interim relief is operating in favour of the writ petitioners. In the circumstances, this writ petition is dismissed for non-prosecution. Interim relief granted to stand vacated forthwith.

. In view of this order, nothing survives in the accompanying Criminal Application. The same is disposed of.

. Parties to act on the authenticated copy of this order.

(A.M.KHANWILKAR,J.)